

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HAINES & KIBBLEHOUSE, INC. : CIVIL ACTION  
: :  
v. : :  
: :  
BALFOUR BEATTY CONSTRUCTION, : :  
INC. : NO. 08-5505

ORDER

AND NOW, this 1st day of June, 2011, upon  
consideration of defendant's amended motion to dismiss (docket  
entry # 29), plaintiff's response thereto (docket entry # 32),  
and defendant's reply (docket entry # 35), and each brief's  
exhibits, and in accordance with the accompanying Memorandum, it  
is hereby ORDERED that:

1. Defendant's motion to dismiss (docket entry # 29)  
is GRANTED;
2. Plaintiff's complaint is DISMISSED WITH  
PREJUDICE; and
3. The Clerk of Court shall CLOSE this case  
statistically.

BY THE COURT:

\_\_\_\_\s\Stewart Dalzell

